

## **MINUTES**

### **UTAH SOCIAL WORK BOARD MEETING**

**December 6, 2007**

**Room 475 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:08 A.M.

**ADJOURNED:** 3:28 P.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Tammer M. Attallah, Chairperson  
Jean V. McAfee  
Mark de St. Aubin  
Joyce Stowe-St. Clair  
Dennis R. Frandsen  
Patsy J. Smith  
Andrew Johnston

**Guests:**

Anthony Gibson  
Edward M. Heath  
Barb Tingey  
Helen Michie  
Lisa Cloward  
Carl Cloward  
Elizabeth Bowman

**DOPL Staff Present:**

David Stanley, Division Director  
Judi Jensen, AG  
Ray Walker, Division Regulation and Compliance  
Officer  
Dee Thorell, Investigator  
Britany Butsch, Investigator

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

#### **ADMINISTRATIVE BUSINESS:**

**MINUTES:**

The minutes from the October 4, 2007 Board meeting were read.

Mr. Frandsen made a motion to approve the minutes with minor amendments. Mr. de St. Aubin seconded the motion. **The Board vote was unanimous.**

## **APPOINTMENTS:**

### **10:00 A.M.**

#### Utah NASW, Licensing Discussion

Elise Hutchings and Farrina Coulam met for the discussion of the licensing issues and University of Utah Practice Methods Course Update.

Ms. Hutchings informed the Board that she is the President elect for the Utah NASW Association. She stated that the Association is launching a campaign to let the public know what Social Workers do and that they serve in a variety of areas. She distributed a copy of the initiative to Board members and Division staff for review. Ms. Hutchings explained that there are 4 goals which are: Recruiting, Retaining, Retraining and Research. She stated that there are also 4 arenas to accomplish the goals which are: Legislative, Public Education, Work Force and Stockholder Development (licensees). Ms. Hutchings explained that the Utah chapter plans to hold a meeting in the Spring to involve employers and lawmakers. She asked if any Board members would like to volunteer to be part of a task force to assist in gathering data for the meeting.

**Following discussion, Board members explained that, as Board members, it might be a conflict of interest as the Association protects the profession and the Board protects the public.**

Ms. Hutchings responded that they would like some input regarding scope of practice issues, ethical issues and violations.

**Ms. Taxin suggested Ms. Hutchings submit any questions to her to present to the Board for a response. She stated that the Board will meet again January 3, 2008 and then on February 14, 2008.**

Ms. Hutchings thanked Ms. Taxin and agreed to submit questions to her for the Board to review.

Ms. Hutchings informed the Board that the

Association has been very involved in BYU discontinuing the Bachelor of Social Work (BSW) program. She stated that discontinuing the program is a concern as the Social Service Worker practices at a lower level than the Master's degree Social Worker. She requested the Board to review the Rules and address the practice of the MSW and the SSW.

**Ms. Taxin responded that the Law will have to be opened and changed to address some of the issues but there are some issues that can be addressed by changes in the Rules. She stated that she believes the SSW area of the Law is the most unfair section as people are working as case managers who she believes need the SSW license. Ms. Taxin stated that the same people continue to call requesting assistance on where to obtain the practice methods course. She stated that the Law requires this course for a Bachelor degree in any field and it is not available on an as needed basis. She stated that she believes the Association should make a decision and describe the scope of practice for the SSW more clearly then the case management could be part of their scope of practice.**

Dr. Coulam informed the Board that all the Social Work Associations will be one organization by 2012. She stated that when they become one organization it will do away with the Bachelor Association, the Ph.D. Association, etc. Dr. Coulam stated that the BYU situation is serving as a catalyst as it sends a message that the BSW is not necessary in the profession. She stated that she believes the Law needs to be opened and areas need to be cleaned up. Dr. Coulam stated that the public is at risk as employees are not trained properly but can be hired for less than someone who is licensed. She stated that it is too late to open the Law for the 2008 Legislative session but might be prepared to open it in 2009. Dr. Coulam stated that Kym Meyer has prepared a letter to be sent out to organizations who use Social Workers regarding the BYU issue.

**Ms. Taxin asked Dr. Coulam if the U of U practice methods course will continue to be available.**

Dr. Coulam responded that she is committed to

offering the practice methods course. She stated that the course needs to be offered by CSWE accredited programs as there are barriers that frustrate her such as the financial issue. Dr. Coulam asked if the Board would consider approving an on-line course for credit. She stated that the U of U cannot afford to continue the program the way it is set up at this time. She stated that there could be transcripts with 0 credit hours and no grade but there would be a certificate of completion attached. Dr. Coulam stated that if the course was an on-line course it could be offered any of the 3 semesters anywhere in the State of Utah.

**Mr. Attallah stated that it appears the quality of the course would not change. He stated that the Board would need to discuss if an on-line course will meet the legal requirements for the SSW education.**

**Ms. Taxin stated that the Law required the applicant to produce certified transcripts from an institution of higher education. She stated that the Law should be changed and prior to addressing the on-line issue. She recommended the education for the SSW be left open in the Law and clarified by the Rules.**

Dr. Coulam stated again that a transcript will be produced with a certificate attached that would certify a C minus or better or would have an F for failing the program. She stated that the transcript will be a U of U transcript. She stated that the certificate would document completion of a 4 hour course. Dr. Coulam stated that Weber State University or BYU could also develop a course as they also have the CSWE accredited programs.

**Ms. Taxin stated that there are some angry, frustrated people who need the course and are unable to locate anything that will meet the requirements. She suggested Dr. Coulam submit a copy of a transcript for the Board to review. She stated that as it will be another year working with the current Law, the practice methods course needs to be available.**

Dr. Coulam responded that she receives less than 10 telephone calls a year inquiring about a practice methods course.

Ms. Hutchings commented that there have been a number of individuals come to the Utah NASW office regarding concerns about the ASWB examinations. She stated that these are primarily individuals who have English as their second language and want the Board to consider allowing the examination to be given in Spanish.

**Ms. Taxin responded that the examination is given in English. She explained that English as a second language is not considered an ADA disability. Ms. Taxin stated that if Utah approves for the examination to be given in Spanish for Spanish speaking people then it has to be approved for all other languages for those who speak other languages. She stated that applicants are required to pass the examination in English.**

**Mr. de St. Aubin commented that the Board has voiced concerns regarding the adequacy of supervision. He stated that he was informed that NASW was developing a course for supervisors.**

Ms. Hutchings responded that NASW is working on developing a course for supervision.

**Ms. Taxin asked Ms. Hutchings and Dr. Coulam if there was any other information or questions regarding licensing issues or the practice methods course as all other items need to be on the agenda prior to discussion.**

Ms. Hutchings and Dr. Coulam responded that their issues were covered. They thanked the Board for their time.

**10:30 A.M.**

Farrina Coulam, U of U Practice Methods  
Course Update

Dr. Coulam met with Ms. Hutchings.

**11:00 A.M.**

Samuel Giovanini, Non-disciplinary Interview

Mr. Giovanini met for his non-disciplinary interview.

Board members and Division staff were introduced.

Ms. Taxin conducted the interview.

**Ms. Taxin informed Mr. Giovanini that she oriented the Board regarding what brought him before the Board. She asked him to give a short summary of what he did to be here and then his plan of what he would do different.**

Mr. Giovanini responded that he received a public reprimand based on the lack of proper supervision for "Jane Doe". He explained that he completed the supervision form and provided substantiation of those hours. Mr. Giovanini stated that in the past he has successfully supervised other people. He explained that Jane Doe was involved in unprofessional conduct while he was her supervisor. He stated that he was unaware of her conduct as he did not review the correspondence area of her clinical files. Mr. Giovanini stated that he and Jane Doe met for staffing cases, he focused his review of case files on the information for that day and he only reviewed the clinical area of her files. He stated that he now understands that Jane Doe did evaluations and made recommendations to the courts. Mr. Giovanini stated that Jane Doe worked for him in his private practice but he did not sign her recommendations as she did not show them to him. He stated that he believes she bypassed him as she was older than he and thought she did not need his authorization. He stated that Jane Doe knew recommendations needed to be reviewed and signed before they left his office. Mr. Giovanini stated that Jane Doe had been a school teacher for many years and thought she knew what needed to happen in specific cases. He stated that Jane Doe had sons that were attorneys and maybe she thought she knew the legal ins and outs but did not have him review and sign her recommendations. He stated that he lived in a rural area and had 3 other locations while he was supervising Jane Doe. Mr. Giovanini stated that Jane Doe worked at the Price office and he traveled among all the locations. He stated that he believes Jane Doe thought she could do her own thing

as he was not available every day. He explained that when DOPL became involved in the investigation Jane Doe was already licensed as an LCSW. Mr. Giovanini stated that it was his fault for trusting that Jane Doe had enough ethical knowledge and understanding to make appropriate decisions. He stated that when he became licensed he had to take an ethics class and examination and he believed everyone was still required to take that examination. He stated that he believes it was too large a change for Jane Doe to move from the classroom to counseling. He stated that he believes those who have a background in the social sciences would do better in the counseling arena. Mr. Giovanini stated that he wants Jane Doe to be successful but if she did not have the ethical courses he wonders what she was taught and how will she know not to infringe on basic rights of clients. Mr. Giovanini stated that in the future he plans self corrective actions. He explained that he has chosen not to supervise anymore as it is a huge liability to his company and his license. He stated that this incident may affect his liability insurance and cause it to go up. He stated that he will remain in private practice and be responsible for his own actions. Mr. Giovanini stated that if he decides to hire anyone in the future he will hire only licensed LCSW's. He stated that if he ever decides to supervise again he will only supervise those who are interested in being an LCSW and have advanced education.

Mr. Giovanini asked why education programs no longer have ethics classes and why applicants are no longer required to take the Laws and Rules examination.

**Ms. Taxin responded that Jane Doe's curriculum did include an ethics course and Jane Doe was required to take and pass the Utah Laws and Rules examination.**

**Mr. Attallah asked Mr. Giovanini to explain his understanding of supervision and what he would do differently.**

Mr. Giovanini responded that he supervised correctly but did not review Jane Doe's correspondence. He

stated that he would scrutinize files and correspondence more closely. He explained that he now has only 2 offices and it would be easier to supervise with only 2 offices.

**Mr. Attallah stated that it would be difficult to be available for supervision while traveling around 4 offices.**

**Mr. de St. Aubin asked if Mr. Giovanini was supervising other CSW's.**

Mr. Giovanini responded that he was supervising 1 other CSW at his Delta office.

**Mr. de St. Aubin asked Mr. Giovanini if he knows where to find the supervision requirements.**

Mr. Giovanini responded that he knows the Social Work Laws and Rules are on the DOPL website.

**Mr. de St. Aubin stated that NASW also has supervision information and Mr. Giovanini may also want to review their guidelines.**

Mr. Giovanini responded that he has relied on the Utah Laws and Rules and has been following those guidelines.

**Mr. Attallah stated that if Mr. Giovanini changes his mind regarding supervising he should be more aware of what that CSW is doing and review the files more carefully.**

Mr. Giovanini responded that he also will have that CSW working with him at his primary facility.

**Ms. Taxin commented that when she was supervising she would always have the supervisee read the Laws and Rules and sign that they had read them so that she knew they were aware of the requirements. She stated that she had a policy and procedures manual with specific things for employees to complete and sign off.**

Mr. Giovanini responded that he did have a form for



the employees to sign each year regarding ethical guidelines and requirements.

**Ms. Taxin stated that the goal is to know that Mr. Giovanini understands supervision guidelines. She stated that supervisors are needed and he might reconsider being a supervisor. She stated that if he did reconsider the information and understanding would help him set up better guidelines and a better plan. Ms. Taxin recommended Mr. Giovanini keep any CSW supervisees at his primary facility so they are not viewed as being in private practice at his other facility. She stated that if he had been around Jane Doe more he might have seen areas of concern. She stated that hopefully this process will be helpful to Mr. Giovanini.**

**Mr. de St. Aubin explained that the Laws and Rules do not specify the amount of hours the supervisor needs to meet with the supervisee. He stated that if Mr. Giovanini does supervise again he may want to slow down in those supervision meetings and go over guidelines and expectations again.**

**Ms. Taxin reminded Mr. Giovanini that supervisees are still learning. She suggested Mr. Giovanini ask if they had a class in ethics and then review ethical standards and ethical scenarios. She stated that she believes a supervisor should meet weekly with a supervisee. Ms. Taxin stated that if Mr. Giovanini decides to supervise people that are not of his profession he should read their Laws and Rules as well as the Social Work Laws and Rules.**

Mr. Giovanini responded that he believes the cross-over of Jane Doe's degree to Social Work was hard for her and for him. He stated that he believes she acted but using the in-between experience.

**Ms. Taxin reminded Mr. Giovanini that the Board is charged with the protection of the public and she believes Mr. Giovanini is now thinking appropriately on the process.**

Mr. Giovanini thanked the Board for taking the time to meet with him and to discuss appropriate supervision with him.

**12:00 P.M. to 1:15 P.M.**

**LUNCH**

**1:20 P.M.**

Megan Heath, Probationary Interview

Ms. Heath met for her probationary interview. Ed Heath, her husband, attended with Megan.

Mr. Attallah conducted the interview.

**Mr. Attallah asked Ms. Heath to update the Board.**

Ms. Heath responded that she continues to have problems with alcohol. She stated that she has the dates regarding what has been happening and will type the information up to be included in her file. She stated that she went to Highland Ridge from October 17, 2007 through November 3, 2007 and was feeling very positive when she was released. She stated that when she was admitted to Highland Ridge she was terminated from her employment at the Hospital but was informed that she should wait 9 months and then make contact with the employer regarding her being clean and sober as they may rehire her at that time. Ms. Heath stated that her family has started therapy with her and that has been a good experience. She explained that when she was released she started to take Ambien to help her sleep and she should probably not have started the drug as it has led to her drinking again. Ms. Heath stated that she did not call in for her drug testing as she was drinking but did call Ms. McCall and reported that she was suicidal. Ms. Heath stated that Ms. Taxin called the Police who took her to the hospital. She stated that she again took some Ambien that she had hidden away. Ms. Heath stated that she and her husband have checked out substance abuse programs and they are very expensive. She stated that she called in for the drug testing today and is scheduled for a test. She stated that she will go for the test. Ms. Heath stated that she is still employed at Logan Nursing. She stated that they are working with her returning to work, but currently she is on a leave of absence. Ms. Heath stated that she needs at least 30 days of being clean and sober before she can consider

going back to work.

**Mr. Attallah asked Ms. Heath why she did not go to the drug test on November 16, 2007.**

Ms. Heath responded that she did not go as she had been drinking. She stated that the day after Thanksgiving she forgot to call in.

**Ms. Smith asked Ms. Heath how many AA meetings she intends to attend.**

Ms. Heath responded that she believes 4 or 5 meetings a week would help her but she has only been attending 2 or 3 times a week. She stated that she contacted another sponsor just before going to Highland Ridge. Ms. Heath stated that her sponsor thought she would be going to ARC and she has not contacted her to tell her she went into Highland Ridge.

**Ms. Taxin asked Ms. Heath where she is going for therapy.**

Ms. Heath responded that she has seen Joan Zone, Psychologist, once between the behavior health clinic and Highland Ridge. She stated that she liked Dr. Zone. Ms. Heath stated that she knows she needs therapy and Dr. Zone wants to meet with her every 2 weeks. She stated that they have an appointment coming up.

**Ms. Taxin commented that Dr. Zone contact her as she thought Ms. Heath was required by Ms. Taxin to meet with her. She stated that she cleared up the misunderstanding with Dr. Zone. She stated that Dr. Zone would be an acceptable therapist for Ms. Heath. Ms. Taxin stated that she explained that Dr. Zone would not need to disclose personal/private things on the therapist report but would need to disclose the general issues being dealt with and Ms. Heath's progress on those issues.**

**Ms. Taxin suggested Ms. Heath contact Dr. Zone regarding an appointment sooner as 2 weeks is a little long to wait considering her current status.**

Ms. Heath did not respond.

**Mr. de St. Aubin clarified that Ms. Heath is not planning to seek employment in the near future.**

Ms. Heath responded that he is correct. She stated that she is not sure how unemployment affects her probation.

**Ms. Taxin responded that if Ms. Heath is not working in the field then her time stops. She stated that Ms. Heath would still be required to call in for the drug testing but if Ms. Heath informed the Board that she would like the drug testing discontinued until she is working again then the Board would have to amend her Order. Ms. Taxin stated that if Ms. Heath is doing what she can do such as drug testing, completing CE requirements, etc., then she would be completing those requirements even if her time is not counting. She stated that if Ms. Heath wanted the Order amended then when she becomes employed again she would then have to start all over on the drug testing. She stated that ultimately the Division and the Board need to know that the public is safe.**

Ms. Heath responded that the drug testing helps her. She stated that maybe she could think about her options and check in with Ms. Taxin in 30 days to give an update on her situation.

**Ms. Taxin responded that she is comfortable with Ms. Heath taking a break from work for a month. She recommended Ms. Heath meet with the Board again in January 2008 and contact Dr. Zone regarding any recommendations she may have. Ms. Taxin stated that ultimately Dr. Zone will have to make a recommendation regarding Ms. Heath being safe to work with the public. Ms. Taxin stated that Dr. Zone will need to submit a report and Ms. Heath will need to verify that she has been attending AA meetings. Ms. Taxin asked Ms. Heath if she would commit to the number of times a week she would attend AA meetings.**

Ms. Heath responded that she will commit to at least twice a week and will try for 3 times a week. She stated that she was getting signatures from the AA meetings she attended and then forgot but will do better on getting signatures.

**Mr. Attallah stated that after the January 3, 2008 meeting the Board will discuss the employment and reports issues.**

**Mr. de St. Aubin reminded Ms. Heath to contact Ms. Taxin if she goes back to work prior to the January 3, 2008 meeting.**

**Ms. Taxin commented that Ms. Heath is being ethical right now in not working and recognizing that she should not be working.**

Ms. Heath stated her appreciation to Ms. Taxin for calling the Police as if they had not come she does not know what would have happened. She stated that it was an awful experience for her. She stated that she is scared and ashamed but knows that she can do well as she has done it before. She stated that she knows she can be a good practitioner and she loves working as a Certified Social Worker.

**Mr. de St. Aubin thanked Ms. Heath for choosing to keep her appointment today.**

**An appointment was made for Ms. Heath to meet again January 3, 2008.**

**1:45 P.M.**

Theresa Schubach, Probationary Interview

Ms. Taxin informed the Board that Ms. Schubach would not be meeting today for her probationary interview.

**An appointment was made for Ms. Schubach to meet with the Board on January 3, 2008 for her probationary interview.**

**2:30 P.M.**

Kristine Plummer, Probationary Interview

Ms. Taxin explained to the Board and visitors that she would be leaving the meeting for the next appointment and Laura Poe, Bureau Manager, will be present. She

stated that the visitors may raise their hands if they would like to speak. Ms. Taxin explained that the probationer is asked to explain why she is here and to review the requirements of the probation to be sure she understands. Ms. Taxin stated that after completion of the review, it would be an appropriate time for the visitors to raise their hands to be acknowledged to speak. Ms. Taxin reminded the Board and visitors that this meeting is not a Hearing and they may state their perspective but comments will not change the Stipulation and Order or create additional sanctions on the license. She stated that the Board will listen to the visitor's comments and may ask questions.

**Mr. de St. Aubin asked if Ms. Poe would conduct the interview or if she would know that he had been requested to conduct the interview.**

Ms. Taxin responded that she would inform Ms. Poe. Ms. Taxin left the meeting.

Ms. Poe joined the meeting as directed in Ms. Plummer's Stipulation and Order.

Ms. Plummer met for her probationary interview. Elizabeth Bowman, Ms. Plummer's legal counsel, accompanied Ms. Plummer.

Board members and Division staff were introduced.

Mr. de St. Aubin conducted the interview.

**Mr. de St. Aubin commented that this is Ms. Plummer's first probationary interview. He asked Ms. Plummer to explain her understanding of why she is meeting with the Board.**

Ms. Bowman interjected that no petition was filed in this case and her advice to Ms. Plummer, her client, is to focus only on what is in the Stipulation and Order.

**Ms. McCall requested Ms. Bowman and Ms. Plummer to speak louder as she was unable to hear the comments. Board members also voiced being unable to hear.**

Ms. Plummer responded to Mr. de St. Aubin's request that she did not exercise appropriate professional judgment when she did not discourage a client from seeing an individual who later pleaded guilty to providing therapy without a license.

**Mr. de St. Aubin asked if he understood that Ms. Plummer was unaware that the individual was not licensed.**

Ms. Plummer responded that Mr. de St. Aubin was correct.

**Mr. de St. Aubin asked Ms. Plummer to explain her understanding of the requirements of her Stipulation and Order.**

Ms. Plummer responded that she has a plan to work with Linda Tuttle as her supervisor. She stated that she and Ms. Tuttle have met and agreed what they would go over in their supervision sessions. She stated that she had a written practice plan to submit and gave that plan to Mr. de St. Aubin. Ms. Plummer stated that she has completed some ethics courses. She stated that she and Ms. Tuttle would like to go over information on ethical guidelines that were part of the ethical courses she has completed. Ms. Plummer stated that she is also being supervised by Alisa Snell at Davis Counseling Center and they have also gone over some of the ethical issues.

**Mr. de St. Aubin asked Ms. Plummer to review her employment status for the Board.**

Ms. Plummer responded that she is employed with Davis Counseling Center and with LDS Social Services for 4 hours. She stated that she has 4 and 8 clients. Ms. Plummer stated that Ms. Snell is the Director at Davis Counseling Center and Ms. Tuttle also works at Davis Counseling Center. She stated that Dennis Ashton is at LDS Social Services.

**Mr. de St. Aubin responded that if Ms. Plummer is requesting Ms. Tuttle, Ms. Snell and Dennis Ashton as supervisors then each will need to submit a letter stating they have read Ms. Plummer's Stipulation**

**and Order and are willing to supervise and support her in being successful in her probation.**

**Ms. Poe informed the Board that Ms. Tuttle and Mr. Ashton have submitted letters acknowledging having read the Stipulation and Order. She stated that the letters are in Ms. Plummer's file. Ms. Poe asked Ms. Plummer for clarification regarding 2 places of employment, a supervisor for each location and one person she meets with weekly.**

Ms. Plummer responded that she does not meet with Mr. Ashton weekly.

Ms. Bowman clarified that Alisa Snell has been the supervisor until recently and Linda Tuttle will now be the supervisor and Ms. Plummer is requesting Ms. Tuttle and Mr. Ashton be approved as supervisors.

**Mr. de St. Aubin made a motion to approve Linda Tuttle and Dennis Ashton as Ms. Plummer's supervisors.**

**Mr. Frandsen seconded the motion.**

**The Board vote was unanimous.**

Ms. Plummer asked if Mr. Ashton will be required to submit reports.

**Mr. de St. Aubin responded that Mr. Ashton will be required to submit reports. He stated that Ms. Plummer's Stipulation and Order required Ms. Plummer to meet weekly with her supervisor and for the supervisor to submit monthly reports. He stated that if she has 2 supervisors then she needs to meet weekly with each one and each one needs to submit monthly reports as there is no reason to make the requirement less for Mr. Ashton than for Ms. Tuttle.**

Ms. Plummer responded that she has about 4 clients with the agency where Mr. Ashton works and 4 to 6 clients with the agency where Ms. Tuttle works.

**Mr. de St. Aubin again stated that there is no**



**reason to make a change in the Stipulation and Order to require less for Mr. Ashton.**

**Ms. Poe stated that the supervisors should review ethical issues, boundaries, etc with Ms. Plummer. She stated that if Ms. Plummer is being supervised by 2 different people that the bouncing back and forth may create potential confusion for Ms. Plummer.**

Ms. Bowman interjected that she and Ms. Plummer contemplated Mr. Ashton would be required to submit a report once a month to Ms. Tuttle and Ms. Tuttle would incorporate the information into her report to the Board.

**Ms. Stowe-St. Clair asked Ms. Plummer to explain the purpose of Mr. Ashton reporting to Ms. Tuttle and Ms. Tuttle incorporating the information into her report. She stated that a report should be received from each supervisor.**

Ms. Bowman responded that she and Ms. Plummer thought Mr. Ashton could give a verbal report rather than a written report.

**Mr. de St. Aubin asked what issues are different at each agency.**

Ms. Plummer responded that the issues for each agency are similar.

**Ms. McAfee commented that she agreed with Ms. Stowe-St. Clair in that a written report should be received from each supervisor.**

**Mr. de St. Aubin commented that he could see Mr. Ashton feeling the burden of oversight.**

**Mr. Attallah stated that if supervision issues are being addressed it is the responsibility of the supervisor to report.**

**Mr. de St. Aubin stated that the reports from each supervisor will be due monthly for the first 6 months and then quarterly as directed by the**

**Board.**

**Mr. de St. Aubin asked the Board if Ms. Plummer will be required to meet weekly with one supervisor and not the other as the Stipulation and Order requires meeting weekly with the supervisor.**

**Mr. Attallah responded that, given the caseload, there needs to be at least one weekly supervision contact. He stated that if there needs to be more contact then the supervisors should determine the frequency. He stated that he does not believe it appropriate for the Board to require 2 supervision meetings a week.**

**Following additional discussion the Board determined the supervision must meet the requirement of the Stipulation and Order of weekly supervision and if Ms. Plummer has 2 supervisors she must meet with each.**

Ms. Plummer asked if the supervisors are to select files at random to review or if she may select the files.

**Mr. Attallah responded that the supervisors must select the files to be reviewed. He stated that the expectation of the Board is that the supervisor reports will address the issues in the Stipulation and Order when they review Ms. Plummer's files.**

Ms. Plummer informed the Board that she and one supervisor made a form to document the file review process, for the Board to review. She distributed a copy to Board members.

**Mr. de St. Aubin recommended Ms. Plummer include a section for comments on the form.**

**Mr. Attallah requested the supervisors use the form provided by the Division or have sections for comments and not just a box for the supervisor to check. He stated that his expectation of the supervision and the reports is that the supervisors will document if there was any discussion regarding boundaries as he wants to know what was reviewed and discussed in the supervision time**

**period. He stated that the supervision is to help Ms. Plummer and checking a box does not help the Board to know how the supervision is helping her.**

Ms. Bowman asked if Mr. Attallah is asking for the report to be specific regarding issues discussed.

**Mr. Attallah responded that Ms. Bowman is correct. He explained that Ms. Plummer's probation and supervision should be a learning experience and the reports should have more information than the supervisor saw no problems. Mr. Attallah stated that any issues will need to be addressed in the monthly reports.**

**Mr. de St. Aubin asked Ms. Plummer to address the continuing education (CE) requirements.**

Ms. Plummer responded that she has taken 29 hours of CE during this year, of which 3 hours were audio. She stated that she has completed 20 hours from an Arizona course and 9 hours in ethics.

**Mr. de St. Aubin reminded Ms. Plummer that the CE requirement must be reviewed and approved by the Board. He stated that if the CE Ms. Plummer has completed is approved she would have more than the required 20 hours of CE. He asked Ms. Plummer if there were any other issues in regard to her probation that needed to be discussed with the Board.**

Ms. Plummer responded that there were no other issues regarding her probation that she wished to discuss with the Board. She stated that she wrote a statement regarding her values and commitment to the social work profession that she would like to read. Ms. Plummer read her statement to the Board.

**Mr. Attallah asked Ms. Plummer if she had any questions regarding her Stipulation and Order.**

Ms. Plummer responded that she did not have any questions.

**Mr. de St. Aubin commented that there were 5**

**visitors present who expressed an interest in participating. He asked them to raise their hands if they had any comments.**

Lisa Cloward commented that she knows nothing she says will change the Stipulation and Order requirement but she hopes Ms. Plummer will not do harm to anyone else. She stated that she does not believe Ms. Plummer realizes the depth of her actions. She stated that she would like the Board to hear what happened so it will not be repeated.

Ms. Bowman interjected that the State did not file a petition and the Stipulation and Order was the document with requirements agreed upon. She stated that she objected to the public members bringing up allegations that were not included in the Stipulation. She stated that the 5 visitors may submit complaints to the Division and request a hearing.

**Mr. Attallah reminded Ms. Bowman that this Board meeting is a public meeting and the 5 visitors may be heard by the Board.**

**Ms. Poe responded that that the key to change for Ms. Plummer are the agreed upon requirements found in the Stipulation and Order. She explained that new information should be given to the DOPL Investigations and should not be brought up in this Board meeting as the Board cannot change the agreed upon Stipulation and Order. Ms. Poe stated that the Board and Ms. Bowman cannot object to public comments but there is a fine line regarding prejudicing the Board by disclosing additional information.**

Ms. Bowman informed the Board that Ms. Cloward is on a confidentiality agreement.

**Mr. Stanley commented that Ms. Plummer has accepted full responsibility and this meeting is not a hearing. He also cautioned the visitors on disclosing new information to drag Ms. Plummer over the coals again. He stated that comments may be given by the public but to remember that this meeting is not a hearing.**

Ms. Cloward commented that she believes Ms. Plummer is afraid of the truth and she, Ms. Cloward, will contact DOPL's investigations bureau.

Helen Mitchey stated that she was a former client of Ms. Plummer. She asked if there is a code of ethics regarding the social worker doing no harm to clients.

**Mr. de St. Aubin responded that there is a code of ethics through the national organization of NASW and the professional is obligated to work with clients, to give support, advocate, help and do no harm.**

Ms. Mitchey commented that the 5 visitors believe Ms. Plummer has agreed to harming only one client and the Board should know that there are many who have been deeply harmed. She stated that she has evidence that Ms. Plummer violated the HIPPA Law and has not taken responsibility or acted remorseful on that issue.

**Mr. de St. Aubin asked if there were any other comments from the visitors.**

The visitors responded there were no additional comments at this time.

**Mr. Attallah asked the Board if someone would like to make a motion regarding the CE's Ms. Plummer submitted.**

**Mr. Frandsen made a motion to approve the CE's Ms. Plummer submitted.**

**Ms. Smith seconded the motion.**

**The Board vote was unanimous.**

**Mr. de St. Aubin requested Ms. Plummer to summarize the Board expectations.**

Ms. Plummer responded that she understands she is to meet weekly with her supervisors, address issues outlined in the Stipulation and Order regarding ethics,

boundaries and relationships. She stated that she understands that 20% of her files are to be reviewed by her supervisors and the supervisors are to submit monthly reports for 6 months and then the Board will review before recommending the reports be submitted quarterly.

**Mr. de St. Aubin confirmed Ms. Plummer summarized appropriately. He stated that 3 reports must be submitted between today and March 6, 2008.**

Ms. Bowman asked if the Board wants both forms filled out.

**Mr. de St. Aubin responded that the supervisors should use the form provided by the Division**

**An appointment was made for Ms. Plummer to meet again March 6, 2008.**

Ms. Plummer and Ms. Bowman voluntarily left the meeting.

Visitor, Barb Tingey, asked when the victims will be allowed to voice what they have gone through.

**Mr. de St. Aubin explained that the Board works with the probationer.**

Ms. Cloward stated the victims have never had a voice as the process was not explained to them.

**Mr. de St. Aubin explained that the Board is charged with protecting the public.**

**Ms. Poe stated that complaints were received from several individuals. She explained that the complaints were investigated with the attorneys agreeing to the Stipulation and Order as it is written. She stated that, short of going to a hearing, there is not a venue for the victims to discuss their side of the story. Ms. Poe stated that it is not possible for the Division or Board to hear evidence outside a hearing.**

Ms. Cloward commented that the Board reviewed Ms. Plummer's side of the situation and she does not understand how the Stipulation and Order went from a group of people harmed to one person harmed.

**Ms. Poe responded that the public information is the Stipulation and Order. She stated that any additional information obtained during the investigation is private.**

Ms. Cloward asked how the Board protects them as they are the public.

**Ms. Poe responded that the proposal for change was education, remediation, and supervision of Ms. Plummer.**

Helen Michie commented that she and the other visitors are very emotional over the situation. She stated that Ms. Plummer could be doing the same type of practice behind closed doors with her current clients.

Mr. Cloward commented that he has concerns regarding Ms. Plummer being a safe practitioner based on the harm done to this group of visitors. He asked how the Board prevents Ms. Plummer and others from doing the same things again if there are no consequences. He stated that if these issues are not resolved they will continue.

**Mr. de St. Aubin responded that he is not sure how the Law has resolved this type of issues but the visitors may file complaints with the investigations bureau.**

**Ms. Poe responded that the Division only has authority over the license. She stated that a criminal sanction cannot be done by the Division. Ms. Poe stated that there were a variety of things that happened with this specific case. She stated that in working with the assigned Assistant Attorney General, it was determined that the best resolution was outlined in the Stipulation and Order.**

Ms. Cloward commented that the public does not know where to go to complain. She stated that she had to do her own homework to find out where to file complaints.

**Mr. de St. Aubin responded that he and the Board understand that the visitors have concerns.**

**Ms. Stowe-St. Clair asked if the visitors filed complaints with the Police Department and were the visitors interviewed. She asked if the Police determined not to follow through with the complaints.**

Ms. Cloward responded that the initial prosecuting attorney was taken off the case based on a conflict of interest.

**Mr. Attallah stated that he and the Board do not want to minimize the pain of those harmed, but the Board is required by Law to address only the Stipulation and Order information. He again stated that the Board meeting is not the forum to voice complaints or to discuss meeting the needs of the visitors. He again stated that the Board function is to address the requirements in the Stipulation and Order and to make sure Ms. Plummer meets those requirements.**

Ms. Cloward asked the Board to explain where the Stipulation and Order comes from.

**Ms. Poe responded that complaints are received by investigations, the complaints are investigated and, if appropriate, the information is turned over to the Attorney General's office who write and negotiate the Stipulation and Order in collaboration with the Bureau Manager over that profession.**

Ms. Cloward commented that she was frustrated that the Stipulation and Order did not fully disclose what Ms. Plummer had done.

**Mr. de St. Aubin again encouraged the visitors to file complaints if there are issues they believe were not addressed.**



**Mr. Attallah voiced an apology to the visitors. He stated that he did not want them to speak to empty ears but the Board is bound by the Law and they must make certain Ms. Plummer follows the requirements in the Stipulation and Order as it is written.**

**Ms. Poe again suggested the visitors file new complaints with investigations if appropriate as those that were filed have already been taken into consideration.**

**Mr. Attallah thanked the visitors for attending the meeting and voicing comments and concerns.**

**Ms. Poe also thanked the visitors for attending.**

Ms. Michie informed the Board that she is a school teacher and she is familiar with Boards and Laws that bind them. She stated that she and the other visitors do not want others to go through what they have.

**Mr. de St. Aubin responded that the Board will assure the visitors that they will monitor Ms. Plummer through her probation and be sure she meets the requirements as outlined.**

**Ms. Poe informed the visitors that all agendas and approved minutes are available on the DOPL website at [www.dopl.utah.gov](http://www.dopl.utah.gov) if they are interested in attending future meetings or reviewing minutes from past meetings.**

#### **NEW APPLICATIONS:**

Michelle Sherman, LCSW Application Review

Ms. Taxin explained that Ms. Sherman submitted her application for Licensed Clinical Social Worker licensing and has 2,370 hours of the required 4,000 hours under the supervision of a Professional Counselor (PC). Ms. Taxin stated that the Law required an LCSW to be the supervisor. She stated that she does not believe the hours should count and Ms. Sherman believes they should count.

**Mr. Johnston asked if Ms. Sherman submitted a**

**rationale for counting the hours.**

Ms. Taxin responded that Ms. Sherman wrote out a rationale explaining that after her graduation she moved to Arizona and then transferred with her employment to the United Kingdom (UK). She stated that Ms. Sherman explained that she is a British citizen and went to the UK on a temporary basis. Ms. Taxin stated that the letter states Ms. Sherman had supervision by telephone with Mr. Glade. She stated that Ms. Sherman called the Division and was informed that telephonic supervision would not work and Ms. Sherman hoped the supervision under Art Finch, PC, would be considered as he has an MSW degree.

**Mr. Johnston asked if Mr. Finch is licensed as a PC with a MSW degree.**

Ms. Taxin responded that he is correct.

**Mr. Attallah stated that the Social Work Law required the hours to be completed under a Licensed Clinical Social Worker. He stated that he believes Ms. Sherman needs to complete her hours under an LCSW.**

Ms. Taxin stated that Ms. Sherman has read and understands the requirements of the Laws and Rules but wanted the Board to consider her request to accept the hours that are completed.

**Mr. Johnston asked if there is a pressing reason Ms. Sherman needs the LCSW now versus waiting until she has completed all the hours under an LCSW supervisor.**

Ms. Taxin responded that she is not aware of a pressing issue.

**Mr. de St. Aubin commented that he is uncomfortable with Ms. Sherman requesting the Board to consider accepting the hours after she has already completed them. He stated that if she had made the request prior to doing the hours and there had been an agreement in advance then he**

**might consider accepting the hours.**

**The Board unanimously agreed that the hours under a Professional Counselor should not be considered and Ms. Sherman will need to complete the LCSW supervision requirements under an LCSW.**

Skip A. Henrie, SSW Application Review

Ms. Taxin explained that Mr. Henrie submitted an application for Social Service Worker (SSW) licensing with a degree in Criminal Justice. She explained that his degree falls in the category of a minimum of a bachelor degree in any field. Ms. Taxin stated that Mr. Henrie does not have the required additional coursework of 3 credit hours in full-life human growth behavior, abnormal psychology, social work values and ethics, social welfare or social welfare policy in his education and has not taken the required practice methods course. Ms. Taxin stated that Mr. Henrie has completed more than the 2,000 hours required for SSW licensure. Ms. Taxin stated that Mr. Henrie submitted syllabi from the College of Eastern Utah and would like the Board to review and consider accepting the courses as meeting the requirement of the additional courses and the practice methods course. Ms. Taxin stated that the courses are through the Psychology program. She stated that in reviewing the information she believes the course 1100 Human Development Across the Life Span will meet the full-life human growth behavior requirement. She stated that she believes the 1210 Psychology of Human Development would duplicate the Life Span course. Ms. Taxin stated that she believed that Social Psychology would not meet the requirements of the Social Work Practice Methods course as it does not explore the assessment and treatment of individuals, families, groups and communities.

**The Board reviewed the three courses.**

**Mr. de St. Aubin made a motion to approve the human growth and development course as meeting the requirement of full-life human growth behavior. His motion included the proposal for the social work practice methods course to be denied based on the course being in research and not**

**social work practice methods which explores the assessment and treatment of individuals, families, groups and communities.**

**Ms. Smith seconded the motion.**

**The Board vote was unanimous.**

**The Board determined that the 1210 Psychology of Human Development course is similar to the 1100 Human Development Across the Life Span course but not as broad as the 1210 course.**

**The Board recommended Ms. Taxin refer Mr. Henrie to University of Phoenix to complete the practice methods course.**

**Ms. Stowe-St. Clair commented that rural Utah has difficulty finding licensed people. She stated that they train people as best they can. Ms. Stowe-St. Clair stated that the prison system has taken line officers and allowed them to do the SSW level of duties for years without having the SSW license. She stated that she believes the Board should uphold the Law requirements and then push the Association to make a change in the Law. She stated that the issue needs to be presented to the Legislature for them to be aware that they should not require legislation of courses that are not available and the Board and Division cannot regulate.**

**Mr. de St. Aubin asked if Mr. Henrie would be able to continue working without the license.**

Ms. Taxin responded that he could not continue to work as an SSW as he has already met the examination and supervision requirements and the exemption is not for people to work forever but to complete requirements. She stated that if the Law is changed licenses would not be taken away from people but those who apply would need the specific SSW level courses.

Jennifer Ruggeri, SSW Education Review

Ms. Taxin explained that Ms. Ruggeri has a Bachelor degree in Political Science with a minor in Sociology,

has completed the 120 hour course conducted by DCFS and has been working as a social service worker for over a year. Ms. Taxin stated that Ms. Ruggeri believes she has completed the necessary requirements for SSW licensure. Ms. Taxin explained that with a degree in any field Ms. Ruggeri would need a 3 credit hours course in one of the listed areas of full-life human growth behavior, abnormal psychology, social work values and ethics, social welfare, or social welfare policy and an approved practice methods course. Ms. Taxin stated that Ms. Ruggeri's transcripts document having taken abnormal psychology but not the practice methods course.

**After reviewing the transcripts Mr. de St. Aubin stated that the transcripts do not document anything in social work practice methods.**

**The Board unanimously recommended Ms. Taxin respond to Ms. Ruggeri that her education is deficient in the area of the social work practice methods course.**

## **DISCUSSION ITEMS:**

FYI

Mr. Stanley announced that Ms. Taxin has been requested to be the Bureau Manager for another group of professions as another Bureau Manager has notified the Division that she will be leaving. He stated that he needs Ms. Taxin's organizational skills for the other group of professions.

Ms. Taxin commented that she will help the new Bureau Manager to understand the issues of this profession.

**Ms. Smith commented that Ms. Taxin has been great to work with and is very capable and knowledgeable.**

Ms. Taxin stated that Ms. McCall will also be going with her as her Board Secretary. She stated that one of the licensing specialists will be staying with the new Bureau Manager to help that group with continuity.

Mr. Stanley commented that the new Board Secretary

is just as competent as Ms. McCall has been.

**Ms. Stowe-St. Clair stated that in the length of time she has served on the Board there will have been 4 Bureau Managers. She stated that Ms. Taxin will be missed as she has been good to work with.**

**Board members thanked Mr. Stanley for the notification and Ms. Taxin for all the assistance she has given the Board.**

FYI

The Board reviewed the notification from Wendy Schefield regarding BYU discontinuing the Bachelor of Social Work education program.

Ms. Taxin commented that the Universities may change their programs as necessary and the Division does not regulate those changes.

**Mr. Attallah stated that BYU is trying to change some of their focus.**

**Mr. de St. Aubin informed the Board that Utah Valley State College notified him that they are opening a Bachelor of Social Work program. He stated that he is also aware that Utah State University in Logan is opening a Master of Social Work program.**

Update on Enrique Velasquez

Ms. Taxin updated the Board in regard to Enrique Velasquez.

Ms. Taxin stated that Mr. Velasquez submitted a letter notifying the Division that he is still not working in the field of Social Work.

#### **CORRESPONDENCE:**

Shannon Bernstein's e-mail Questions regarding Supervision at a Mental Health Agency

Ms. Taxin explained that Shannon Bernstein has e-mailed Ms. McCall with questions regarding supervision. She stated that Ms. Bernstein was invited to meet with the board as she did not understand Ms. McCall's answers to the questions. Ms. Taxin stated that Ms. Bernstein opted not to meet for clarification.

**The Board noted the information with no action**

**taken.**

Mark de St. Aubin Supervision Request

The Board reviewed Mr. de St. Aubin's request to supervise a 4<sup>th</sup> CSW.

**Mr. de St. Aubin explained that he is currently supervising 3 CSW's and has been requested to supervise an individual who is under supervision at his full-time employment and needs a supervisor for the 2 to 5 hospice visits he does each month. He stated that he is employed at the same agency as this individual and could supervise.**

Ms. Taxin asked Mr. de St. Aubin how many hours this individual needs to complete the required 4,000 hours of supervision.

**Mr. de St. Aubin responded that he believes all the hours are completed but the individual has not yet passed the required ASWB examination. He stated that he would need to meet with the individual once or twice a month.**

**Mr. Frandsen made a motion to approve Mr. de St. Aubin's request to supervise 4 CSW's.**

**Ms. Smith seconded the motion.**

**Mr. Attallah, Mr. Johnston, Mr. Frandsen, Ms. McAfee, Ms. Stowe-St. Clair and Ms. Smith voted in favor of the motion. Mr. de St. Aubin abstained from voting.**

ASWB Correspondence

The Board reviewed the ASWB Association Newsletter, October 2007. **No action taken.**

**BUSINESS FROM PREVIOUS MEETING:**

Report from Mark de St. Aubin regarding contacting Wendy Seeley to address her Questions

Mr. de St. Aubin explained that Ms. Seeley had some questions regarding an individual who is a case manager in West Valley City, Utah. He stated that Ms. Seeley informed him that this individual was being requested by the agency where she worked to review admissions to the hospital. He stated that he talked 3 times with Ms. Seeley regarding expectations as a hospital case manager. Mr. de St. Aubin stated

that there is a national push for all patients being admitted into a hospital to go through a case management review and the case manager approves or denies admission to the hospital based on that review. He stated that if Ms. Seeley is contacted by another hospital department to admit a patient to ICU and it is outside her scope of practice she arranges for the medical chart to go through the nursing staff or the insurer for pre-authorization. He stated that so far her method has met the criteria for the hospital.

**Mr. Attallah asked if this procedure is happening in Utah as well as other States.**

Mr. de St. Aubin responded that Ms. Seeley informed him that it is a national issue. He stated that he will obtain additional information and report back to the Board later.

**NEXT MEETING SCHEDULED FOR:**

January 3, 2008

**ADJOURN:**

The time is 3:28 pm and the Board meeting is adjourned.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

02/14/2008  
Date Approved

(ss)Tammer M. Attallah  
Chairperson, Utah Social Work Licensing Board

01/10/2008  
Date Approved

(ss)Noel Taxin  
Bureau Manager, Division of Occupational &  
Professional Licensing